

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
v.) CASE NO. 2:09-cr-128-MEF
)
RASHEEN JAHMAL SMITH)

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE
of the court that:

1. The defendant's Objection to the Report and Recommendation of the Magistrate
Judge (Doc. #60) filed on November 30, 2009 is overruled;
2. The Recommendation of the United States Magistrate Judge entered on November
16, 2009 (Doc. #57) is adopted;
3. The defendant's motion to suppress (Doc. #28) is GRANTED as to the statements
made in connection with the November 6, 2008 stop and DENIED as to all issues.

DONE this the 16th day of December, 2009.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE